

29.11.2024
Ct. No. 01
SL No. 20
Cp
(allowed)

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

CRM (A) No. 885 of 2024

In Re: - An application for anticipatory bail under section 438 of the Code of Criminal Procedure, 1973/Section 482 of the B.N.S.S. 2023, in connection with Siliguri Women Police Station Case No.13 of 2024, dated 17.02.2024 under Sections 376, 379 and 506 of the Indian Penal Code, 1860.

And

In the matter of: **Sudip Mahato**

....Petitioner.

Mr. Somraj Paul

...for the Petitioner.

Mr. Abhijit Sarkar

Ms. Namrata Das

... for the State.

Learned advocate for the petitioner prays for anticipatory bail on the ground of false implication. The victim is 24 years old and the petitioner is 21 years old. According to the petitioner, a love affair developed between the petitioner and the victim. After marriage, the problems cropped up. The petitioner submits that he has been falsely implicated.

Learned advocate for the State produces the case diary and opposes such prayer for anticipatory bail.

Considering the materials, medical report and the age of the parties we are inclined to extend the benefit of anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Sudip Mahato**, shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of equal amount each, one of whom must be local, to the satisfaction of the Arresting Officer and

subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973, corresponding to Section 482(2) of the B.N.S.S. 2023. The petitioner shall meet the concerned investigating officer once a week and shall appear before the jurisdictional court on each date of hearing as may be fixed after conclusion of investigation. The petitioner shall not intimidate witnesses or tamper with evidence in any manner whatsoever. The petitioner shall not enter the jurisdiction of the Siliguri Police Station except for the purpose of meeting the investigating officer once a week and furnish his present address to the officer-in-charge of the police station concerned within whose jurisdiction he shall henceforth reside.

In case the petitioner fails to adhere to any of the conditions stated above, the learned jurisdictional court shall be entitled to cancel the bail without further reference to this court.

The application for anticipatory bail, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Partha Sarathi Chatterjee, J.)

(Shampa Sarkar, J.)